

### REMARKS

Claims 1-20 and 23 are pending. Claims 1, 7, 9, 10, 11, 18, 19, and 23 have been amended. The amendments are supported by page 6, line 24, to page 7, line 18 of the specification. No new matter has been presented.

Claims 1-14, 20 and 23 stand rejected under 35 USC 103(a) over Tsukamoto (US 2002/0013940) in view of Allen (US 5,909,638). Claims 15-19 stand rejected under 35 USC 103(a) over Tsukamoto, Allen, and Simmons (US 2002/0112172). These rejections are respectfully traversed.

Claim 1 recites a method for supplying digital files to a customer via a data communications network accessible by the customer. A recordable medium is provided to the customer, and details of the customer and recordable medium are registered in a databank. A customer request to supply one or more digital files is received from a remote client terminal associated with the customer via the data communications network. The recordable medium and the customer details from the remote client terminal are authenticated via the data communications network against the previously registered details. If authentication is successful, the one or more digital files are supplied from the databank to the remote client terminal via the data communications network. The remote client terminal is configured to receive and record the one or more digital files on the recordable medium.

Applicant has amended the claims to emphasize the interaction between the data communications network and the customer's remote client terminal. The cited art does not disclose or suggest authenticating, *via the data communications network*, the customer's recordable medium and customer details *from the customer's remote client terminal* against previously registered details of the customer and recordable medium. Furthermore, the cited art does not disclose or suggest supplying one or more requested digital files *to the remote client terminal via the data communications network* if the authentication is successful, *the remote client terminal being configured to receive and record the one or more digital files on the recordable medium*.

The Examiner contends that Tsukamoto discloses these features in paragraphs [0023] and [0129]-[0135]. Tsukamoto discloses a movie rental system in which a management center 160 manages a plurality of *rental business operators* 3 to rent movies to users for a predetermined rental period. The user physically carries the recordable medium 166 *to the rental business operator* 3 and connects it to the server 162. After the management center 160 authenticates the user's recordable medium 166 and an accompanying IC card 167 through the server 162 *at the rental business operator* 3, the server 162 encrypts and stores movie data on the user's recordable medium 166 after the user pays the rental fee to the rental store. In contrast, claim 1 recites authenticating the customer's recordable medium and customer details *from the remote client terminal associated with the customer* and supplying the files *to the remote client terminal associated with the customer*. Tsukamoto's rental business operator 3, where the alleged authentication and data recordation occur, is not a remote client terminal associated with the customer, as claimed.

Tsukamoto further discloses that, at home, the customer's reproducing device 170 mutually authenticates the IC card 167, reads various key and rental information, and then reads the encrypted content from the recordable medium 166 (paragraphs [0140]-[0141]). However, the authentication between the reproducing device 170 and the IC card 167 is not authentication carried out via a data communications network, as claimed. Rather, IC card 167 is merely preloaded with authentication data at the rental business operator 3, and so reproducing device 170 does not connect to any electronic communications network. Additionally, reproducing device 170 is not configured to receive and record the digital files onto recordable medium 166, as claimed. Rather, reproducing device 170 merely decrypts the content *already* recorded on the recordable medium 166 and reproduces it for the customer to watch (paragraph [0141]).

Allen does not remedy Tsukamoto's deficiencies. Allen discloses a high speed video distribution and manufacturing system in which remote sites can manufacture movies on demand. The remote sites are either video stores or cable television head ends (Abstract). The video stores

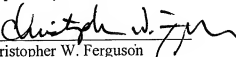
can have kiosks providing a user interface for a customer to request manufacture of a movie (col. 7, lines 51-52). The cable television head ends can provide a video-on-demand data stream to customer's homes for viewing movies (but not for manufacturing them) (col. 27, lines 21-57). Accordingly, Allen also does not disclose or suggest authenticating, via the data communications network, the customer's recordable medium and customer details *from the customer's remote client terminal* against previously registered details of the customer and recordable medium or supplying one or more requested digital files *to the remote client terminal via the data communications network* if the authentication is successful, *the remote client terminal being configured to receive and record the one or more digital files on the recordable medium*, as claimed. The other cited art does not remedy Tsukamoto's deficiencies, either.

In view of the above, the invention recited in claim 1 would not have been obvious over the cited art, and claim 1 is therefore allowable. The other claims are allowable based on their direct or indirect dependency on an allowable base claim. Applicant requests that the Examiner withdraw the outstanding rejections and issue a Notice of Allowance. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. **584542000200**.

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